

## Charting a Path to Progress: The Role of Uzbekistan's New Constitution

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### ABSTRACT

This article delves into the significance of Uzbekistan's new constitution in shaping the trajectory of the country's progress. The author thoroughly examines the key provisions and reforms introduced in the constitution and discuss their implications for advancing democracy, governance, and human rights in Uzbekistan. By analyzing the political landscape and historical context, the article offers valuable insights into how the new constitution can foster inclusive development and modernization in the country. The author's perspective provides a nuanced understanding of the role of legal frameworks in promoting social and political change, making this article a compelling read for those interested in constitutional law, Uzbekistan's political evolution, and democratization in the region.

**Keywords:** Society; Human rights; Constitution; Research; Progress; Development; Basic law; Council; History; Government; Democracy.

### 1. Introduction

At the beginning of my article, I found it necessary to answer the questions why humanity needs laws or it is no secret to me how important it is to find the starting point for each topic. Law (in law) – is a means of strengthening, developing and regulating social relations, which are considered the most important from the point of view of human society and state interests. The law is the document with the highest force of state supreme representative bodies. The original law and regulations were called the coordinating laws and it can be said that they were made around 1755-1752bc, but the amazingly elaborate laws for that time are very difficult and inappropriate to compare with today, because in this law human rights I would not be wrong to say that it was a real civilization for the ancient times, despite the fact that it was trampled to a brutal level. Before laws were created for humanity, the situation reached such a level that eventually humanity came to brink of extinction and a quality of measures was created that is still effective today. Among the constitutions adopted in the middle ages, the Lithuanian constitution adopted in 1529 is considered the oldest, the most perfect and democratic constitution for its early period in world history was adopted in the united states in 1789. But the democratic constitution in this example was ratified 27 times with amendments and the most interesting part is that the word human is used very little in this perfect constitution and we should know important the use of this word is human rights.

#### 1.1. Study Objectives

In the context of the article "Charting a Path to Progress: The Role of Uzbekistan's New Constitution," the following objectives will be explored:

1. To analyze the key changes and provisions in Uzbekistan's new constitution and their potential impact on the country's political and socio-economic landscape.
2. To examine how the new constitution reflects Uzbekistan's commitment to democratic principles, human rights, and the rule of law, shaping its future trajectory.

3. To assess the constitutional framework's role in promoting transparency, accountability, and good governance in Uzbekistan.

4. To investigate the constitutional safeguards for minority rights, gender equality, and social inclusion in Uzbekistan's diverse society.

These objectives aim to shed light on the transformative potential of Uzbekistan's new constitution in advancing democracy, human rights, sustainable development, and inclusive governance in the country.

## **2. Methodology**

The methodology of the article "Charting a Path to Progress: The Role of Uzbekistan's New Constitution" likely involves a combination of qualitative and quantitative research methods. The author may have conducted interviews with key stakeholders, policymakers, and experts in Uzbekistan to gather insights on the implementation and effects of the new constitution. Additionally, the author may have analyzed official documents, legal texts, and policy reports to provide a comprehensive overview of the constitutional changes and their impact on various aspects of Uzbek society. The article may also include comparative analyses with other countries' constitutional reforms to provide context and draw relevant conclusions. Overall, the methodology likely includes a rigorous research approach to offer a well-rounded understanding of the role of Uzbekistan's new constitution in driving progress and development.

## **3. Discussion**

Today, in almost all countries of the world, the constitution is the main law and any other laws issued, decisions and decrees are adopted in accordance with it. Because of this, the constitution is called "general constitution" and "basic law". The word constitution is derived from the Latin word *constitutione* to establish. The history of the constitution goes back to the ancient Greek states and the Rome empire.

The creation of the constitution of the republic of Uzbekistan and its appearance up to today has gone through several stages. The constitution was adopted on December 8, 1992 at the 11<sup>th</sup> session of the supreme council of the republic of Uzbekistan of the 12<sup>th</sup> convocation. The constitutional law on state independent of the republic of Uzbekistan (august 31, 1991) served as the basis for this constitution. The idea of creating the first constitution of independent Uzbekistan was first proposed at the second session of the country's supreme council held on june2, 1990. This session made a decision to create a constitutional commission consisting of 64 people under the chairmanship of the first president Islam Karimov. It included deputies from the public of Karakalpak and representatives of the regions, heads of state and public associations, enterprises and farms, legal scholars and specialists. In 10<sup>th</sup> session of the supreme council, the composition of the commission was partially renewed [1].

The project developed by the commission was announced in the press and widely discussion of the constitutional commission, he recommended to correct and approve the project and consider it at the session of the supreme council. The project was adopted after discussion of the article in session of the supreme council. 15 amendment and additions have been made to the constitution of the republic Uzbekistan. Above the sentences were the facts about the history of our constitution, the reason for our constitution was to bring our country to the ranks of fully

democratic and most developed countries with our noble people, our old and modernized constitution was renewed by 65 % and therefore it is easily called a new constitution we can say. The new version of the constitution of the republic of Uzbekistan entered into force on may1, 2023. This was based on the adoption of a law consisting of 11 articles according to the referendum held on April 30. A new version of the constitution is attached to the first article of this law. The constitution on the new page consists of preamble, 6 part, 27 volume and 155 articles and the most important thing is that word “human” is used 41 times, which does not add to the basic law protecting human rights [2].

Now, analyze the main changes of our constitution, I think that it will be a little bit more difficult. Including the change in the first paragraph of the first article of our basic law, which is the cocoon stem, Uzbekistan is a sovereign, democratic, legal, republican from of government, social and secular state. There is no doubt that the addition of “legal”, “social” and “secular” words to this article is a great event for our country, in such a country , the highest value is a person. The most important feature of a real legal state is that the state not only creates legal norms, but also follows them.

The rule of law is an indispensable sign of democracy and it should be noted that punishment by the rule of law is inevitable in these countries [3].

The welfare state takes measures to ensure the employment of citizens, protect them from unemployment and reduce poverty. “Grateful assistance in the case of lameness and disability” is a process that many countries can envy.

Secular state power and administration, where religion is separated from governance is regulated by legislative acts not by religious rules. It also describes that no religion and ideology can be imposed by the coercive power of the state and that they are separate from the state. It is necessary to emphasize that in a secular state, religion cannot be separated from society if it is separated from the state and politics and our country, which has established religious freedom in an admirable way is among the countries that have regulated religious relation. The remarkable aspect of our new constitution is the fact that all laws, codes, decrees and orders in the public of Uzbekistan are formed on the basis of the provision of the second paragraph of article 15 it is clear that the addition will be the proof of my words that the constitution of the republic of Uzbekistan has the highest legal force in the entire territory of the country and forms the basis of a single legal space. The second and third paragraphs of article 23 have been added to our main dictionary, that is a citizen of the republic of Uzbekistan cannot be forcibly expelled from Uzbekistan or sent to another country. The state cooperates with international law norms on maintaining and developing relations with compatriots living abroad [4].

The above sentences can cause a great event for our people, because now our citizens can move freely not only in their own country, but also abroad. We can say that this process is a big step for the politics of Uzbekistan because I will not be surprised if our country joins the ranks of the developed countries of the world in the coming years. In the new constitution of the new Uzbekistan, a great deal of attention was paid to the personal rights of citizens. For example, changes and additions to article 27 are related to the fact that article 28 has become a completely new article and has been improved and updated more than the old one. Arrest, detention and detention are allowed only

by court order a person cannot be detained for more than 48 hours without a court order. It is now illegal to arrest an innocent person. It is hereby prohibited that nobody may detain individuals except by court order.

One of the main points of article 28 is that the suspect, the accused or the defendant does not have to prove his innocence and the right to remain silent can be used at any time. There will be no pressure, it is called the “Miranda warning” right in foreign countries and based on the experiences of several developed countries, this process was attempted. Another part of our new constitution, which is more advanced and required for democratic states is the part related to the fundamental rights and freedoms of human beings. Human rights and freedoms are directly applicable. Laws of human right and freedoms, state bodies, self-government bodies of citizens determine the nature and content of the activities of their officials.

The above sentences are related to the third paragraph of article 19 of our new constitution and to briefly state the essence of the content, now the people do not serve the state but the state the authorities in general the state authorities should serve the citizens. The personal rights enshrined in the constitution, their political rights and democratic freedoms, economic and development of the human personality from the material and spiritual socio-political aspects in the civil society, fulfilling all the abilities and talents its realization opens wide opportunities to become a selfless, brave person , a perfect person of our country and people. The harmony of the interests of the individual, society and the state is reflected in our constitution and it is envisaged that the interests of the individual, then the state will be protected first, for example the third paragraph of article 33 guarantees that our country is building a clearly modernized democratic state. The state creates the necessary conditions to ensure the use of the internet global information network and at the same time takes the necessary measures to prevent the disclosure of state secrets or other protected by law, these sentences have a great meaning, because the main soft power in the politics of our globalized age is the internet, which is why it is not for nothing that forecasts are given unofficially as the fifth power.

The expansion of economic, social, cultural and environmental rights in chapter 9 can be considered as the perfect state of the constitution. Everyone has a decent job, free choice of profession and type of activity, working in comfortable working conditions that meet safety and hygiene requirements, without any discrimination, and receiving a fair wage that is not less than the specified minimum wage, moreover has the right to be protected from unemployment in accordance with the law. The minimum amount of public payment for labor is determined taking into account the need to ensure a decent standard of living of a person. It is prohibited to refuse to hire, fire or reduce the wages of women who are pregnant or have a child. I will give my objective analysis to this part, the sentences written above were recognized in the new of countries that are in the hands of political influence, because in some countries despite the rapid economic development, the majority of their citizens do not respect human rights are engaged in conflicting black labor or cases of cruel use of pregnant women are unfortunately observed. The perfection of article 50 did not fail to attract my attention, because in the developed countries of the world, Denmark, Sweden, Finland and the united states of America the main focus is on education and the key to development is education, under the leadership of our president who left these events our new constitution was brought to a very ideal state. I would not be wrong to say that the addition of article 52 of this chapter left a great

impression on our citizens. The radical changes in the rights and freedoms of people and citizens in chapter 10 are not a clear example of our social state. At the initiative of our compatriots, great help is being given to needy families and there is also a plan to reduce poverty. Many reforms are being carried out, as a clear example I will give the following item. The state takes measures aimed at improving the quality of life of the socially needy categories of the population, creating conditions for them to participate fully in the life of society and the state and expanding their opportunities to independently provide for their basic life needs. Creates conditions for the full use of objects and services of social, economic and cultural spheres of disabled people, helps them to get a job, and provides them with the necessary information. Provides the possibility of getting it without a hitch. In our multi polar world the role of the mass media is incomparable, because it has taken a place in the minds of citizens as the fourth power. In our modern age, information media play a major role in the world and if I say that it has turned into a weapon in quotation marks, I should not doubt anyone. At time when Asian countries are lagging behind the European most media, I can say that the following sentences were added to our new constitution as a proof of what I said above in our great Uzbekistan. The state guarantees the freedom of media activity, their rights to seek, receive, use, and disseminate information, mass media are responsible for the reliability of the information they provide, interference will result in liability under the law. If I will briefly analyze this change, the state of openness in our country has been ensured and it has become a feature of a completely democratic society and most importantly it has been a huge step in preventing corrupt situations. In the newly revised constitution of the new Uzbekistan, section 5 is called the organization of state power, chapter 18 refers to the republic of Uzbekistan and articles 91-104 include a total of articles. This section and chapter include 76-88 articles in the old constitution a total of 13 articles [4]. It can be seen that the articles of the new constitution pertaining to the parliament are the same the main changes that have occurred are as follows. According to the old constitution, the members of the senate of the supreme assembly were elected from the regions of the republic of Karakalpakstan and the city of Tashkent in an equal number of 6 members and the remaining 16 members served in science, literature, socio-political and other fields. Appointed by the president of the republic of Uzbekistan from among the figures (total at 100 senators) there are 65 senators appointed by the president of the republic of Uzbekistan. In the joint powers of the chambers of the supreme assembly, in the absolute powers of the senate , many reforms and changes were carried out , in particular, the absolute powers of the legislative chamber of the supreme assembly were reduced from 14 to 18, came under the joint powers of the chambers of the supreme assembly, powers such as control over the implementation of the stage budget of the republic of Uzbekistan, review of the report of the accounts chamber of the republic of Uzbekistan have been transformed into the exclusive authority of the supreme assembly the following norms are set for the articles related to the absolute powers of the legislative chamber and the senate (articles 94-95): sending a parliamentary request to the officials of state bodies and the implementation of other forms of parliamentary control, in addition, the right to self dissolve the legislative chamber and the senate of the supreme assembly has become a very important reality in joint governance in our newly revised constitution. Subjects with legislative initiative in article 98, in contrast to the old constitution, not less than one hundred thousand citizens with the right to vote, the senate of the supreme assembly of the republic of Uzbekistan, the supreme assembly of the republic of Uzbekistan the human rights representative(ombudsman) of the central

election commission of the republic of Uzbekistan has the right to submit legislative proposals to the legislative chamber of the supreme assembly of the republic of Uzbekistan under the procedure of legislative initiative. The constitutional court, the Supreme Court and the prosecutor general of the republic of Uzbekistan have the right to initiate legislation on issues included in their powers [4].

In the old constitution, this article is defined as follows; the right of legislative initiative is granted to the president of the republic of Uzbekistan through the supreme representative body of his state power, the deputies of the legislative chamber of the supreme assembly of the republic of Karakalpakstan and the republic of Uzbekistan the constitutional court of the republic of Uzbekistan the supreme court and the prosecutor general. During the adoption of the law, it was considered and approved by the chambers of the supreme assembly of the republic of Uzbekistan, the draft law must be reviewed and approved by the president of the republic of Uzbekistan within 30 days according to the old constitution however, in the new version of the constitution, this period has been extended to 60 days, which provides an opportunity to adopt a perfect law after comprehensively reviewing the law. Another part of the newly revised constitution that causes deep reflection is chapter 21, the foundations of local state power and a certain part of the powers of the governor, which belong to the citizens' self-government bodies to the representative of the people. There is a symbolic meaning in the transfer and allocation of a separate part to the self-governing bodies of citizens does not exist in any country as well as to the lowest level of the population's social networks [5].

Justice will be served the introduction of the new 24<sup>th</sup> chapter, which is the most relevant for human rights and freedom in our new constitution is a very big event, because we have to admit that due to the absence of this chapter in our old constitution many now that there are negative situations, I hope that we will take the lead in the development index of the legal system, human rights in general in Asia. As a test of this article, if the legal and political consciousness of every person reading the text is shaped even a little, then my goal has been achieved. As deep changes are taking place in our great land, let's conquer these modernization peaks with our noble people. In the future, seeing Uzbekistan among the countries that have reached the world's most developed pyramid and the opportunities created by our youth and our honorable president, we can easily say that it is a revolution of reforms, but the period of pride in our history is passing. It is not for nothing that it is said that the world belongs to those who rule it. Let the constitution serve as a lifeline and a strong wall for the children of the great country, because the new constitution is a step towards a great future.

#### **4. Conclusion**

In conclusion, Uzbekistan's new constitution serves as a critical vehicle for driving progress and shaping the future of the country. By enacting meaningful reforms and embracing democratic principles, Uzbekistan has demonstrated a commitment to improving governance, promoting human rights, and fostering inclusive development. The provisions outlined in the new constitution offer a solid foundation for advancing political and social change, and the document signifies a significant step forward in the country's democratization process.

As Uzbekistan continues to implement and uphold the principles of the new constitution, it is essential for the government to ensure transparency, accountability, and the protection of civil liberties. The successful

implementation of the constitution will require the active participation of all stakeholders, including the government, civil society, and the international community. By staying true to the spirit of the constitution and prioritizing the well-being of its citizens, Uzbekistan can chart a path to progress and build a more democratic and prosperous future for all.

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The study has not received any funds from any organization.

#### **Competing Interests Statement**

The author has declared no competing interests.

#### **Consent for Publication**

The author declares that he/she consented to the publication of this study.

#### **References**

- [1] Турдиев, Б. (2024). Jamiat Ideosferasining Ijtimoiy-Falsafiy Tahlili. Ижтимоий-гуманитар фанларнинг долзарб муаммолари/Актуальные проблемы социально-гуманитарных наук/Actual Problems of Humanities and Social Sciences, 4(2).
- [2] Sobirovich, T.B. (2023). Basic Criteria for Building the Third Renaissance in Uzbekistan. Asian Journal of Applied Science and Technology, 7(1): 149–157.
- [3] Sobirovich, T.B. (2023). Civil Society and its Influence in Society's Ideosphere. American Journal of Social and Humanitarian Research, 4(12): 84–89.
- [4] Constitution of the Republic of Uzbekistan. <https://constitution.uz/en/clause/index>.
- [5] Sobirovich, T.B. (2023). Manifestation of Civil Society in the Ideosphere of Uzbekistan. Innovative Society: Problems, Analysis and Development Prospects, Pages 89–92.